

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCCT-01 CIAE-00 DODE-00 PM-04 H-02

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FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 1936

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L USBERLIN 0200

E O 11652: GDS

TAGS: PGOV, PFOR, WB, GW

SUBJ: FURTHER PRESS INTEREST IN POSSIBLE

FEDERAL PROSECUTION OF LORENZ KIDNAPPERS

REFS: A) USBERLIN 165; B) USBERLIN 159; C) USBERLIN 133

1. FEBRUARY 2 DER ABEND CARRIES LONG STORY OF LORENZ KIDNAPPING INVESTIGATION REplete WITH PICTURE OF FEDERAL PROSECUTOR BUBACK AND ENTITLED "BUBACK CAN CAME." STORY DESCRIBES PROBABLY CHARGES AGAINST MEMBERS OF JUNE 2 MOVEMENT, CITES LEGAL BASIS FOR FEDERAL PROSECUTION, WHICH IT SEES AS CERTAIN, AND RECALLS MAHLER PRECEDENT. IT SAYS THAT BERLIN'S SPECIAL STATUS RAISES NO PROBLEMS BECAUSE "THE LEGAL UNITY BETWEEN THE FEDERATION AND BERLIN IS NOT IN QUESTION AFTER THE QUADRIpartite AGREEMENT," AND THAT NO ONE (READ SOVIETS) HAS QUESTIONED THAT FEDERAL COURTS AND FEDERAL JUDICIAL OFFICIALS WITH EXCEPTION OF CONSTITUTIONAL COURT ALSO HAVE COMPETENCE IN BERLIN MATTERS. ARTICLE SAYS ACCURATELY THAT ONLY

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RESTRICTION ALLIES LAID ON FEDERAL PROSECUTOR'S COM-

PETENCE WHEN THEY PERMITTED RELEVANT LAW TO BE ADOPTED
IN BERLIN WAS THAT THEY SHOULD BE KEPT INFORMED OF
INVESTIGATIONS. IT ADDS, SLIGHTLY LESS ACCURATELY,
THAT "BEFORE THE DOCUMENTS ABOUT THE LORENZ KIDNAPPING
AND THE VON DRENKMANN MURDER INVESTIGATIONS WERE SENT
TO BUBACK, THE ALLIES WERE INFORMED IN A THOROUGH
DISCUSSION, AND THEY HAVE APPARENTLY RAISED NO
OBJECTIONS TO THE PROCEDURE."

2. COMMENT: LATEST INDICATION OF
GROWING PRESS INTEREST INCREASES URGENCY OF DEVELOPING
ALLIED POSITION AT EARLIEST POSSIBLE DATE. WE ARE
RAISING MATTER WITH OTHER MISSIONS TODAY ON URGENT
BASIS. GEORGE

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